

Entered - 01/02/01 - sb
CL01L0009 - DIANNE C. MITCHELL

01- *R*-0563

CLAIM OF: **LEON LAWRENCE,**
through his attorney,
Derek M. Wright
2001 Martin Luther King, Jr. Drive
Suite 403
Atlanta, Georgia 30310

For damages alleged to have been sustained as a result of personal injuries during an arrest on September 19, 2000 at 946 Martin Luther King, Jr. Drive.

THIS ADVERSED REPORT IS APPROVED

CONSENT AGENDA

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

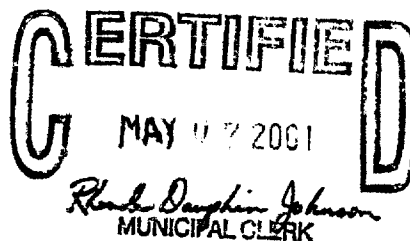
ADVERSE REPORT

COM *Public Safety*

DATE *4/12/01*

CHIEF *C. T. Mitchell*

Michael B. [Signature]
Clayton [Signature]
[Signature]



ADVERSED BY
CITY COUNCIL MAY 07 2001



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

May 15, 2001

Derek M. Wright
Attorney at Law
2001 M.L.King, Jr. Dr.
Suite 403
Atlanta, GA 30310

01-R-0563

RE: Leon Lawrence

Dear Attorney Wright:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on May 07, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0009

Date: March 29, 2001

Claimant /Victim LEON LAWRENCE
BY: (Atty) Derek M. Wright
Address: 2001 Martin Luther King, Jr. Drive, Suite 403, Atlanta, Georgia 30310
Subrogation: Claim for Property damage \$ Bodily Injury \$ **450,000.00**
Date of Notice: 12/13/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 09/19/00 Place: 946 Martin Luther King, Jr. Drive
Department Police Division:
Employee involved B. E. Bridges Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that he was injured when he was struck by a City police vehicle and during his arrest. The investigation determined that the claimant was fleeing, on foot, from police and that the claimant ran into the stopped police vehicle as the officer was exiting said vehicle. There was no negligence on the part of the officer in causing the claimant's alleged injuries. Furthermore, the City is immune from liability for the tort actions of its police officers engaged in their official duties, pursuant to O.C.G.A. §36-33-3.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

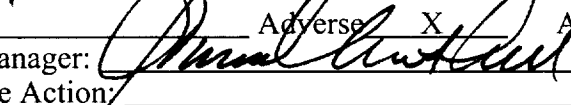
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 03-29-01
Committee Action: Council Action

THE WRIGHT LAW FIRM, P.C.
ATTORNEYS AT LAW
A PROFESSIONAL CORPORATION

Derek M. Wright, Esq.
Managing Partner

2001 MLK, Jr. Professional Building
Suite 403
Atlanta, Georgia 30310

Telephone (404) 756-9292
Telecopier (404) 756-9279

wlfpc@lawyer.com

ENTERED -

01L0009 - DIANNE MITCHELL

December 8, 2000

M. Mitchell
12/28/00
Alan M. Shenberg
Of-Counsel

Alan M. Shenberg, Esq.
GA, NJ Licensed

Shaun C. Willie, Esq.
GA, Patent Attorney

City of Atlanta Police Department
Beverly J. Harvard, Chief
City Hall East, Ninth Floor
675 Ponce De Leon Ave.
Atlanta, Georgia 30308

City of Atlanta Attorney
Susan P. Langford
City Hall, Suite 4100
68 Mitchell Street
Atlanta, Georgia 30335-0332

City Council of Atlanta
Atlanta City Hall, Suite 2700
55 Trinity Ave. SW
Atlanta, Georgia 30335

VIA REGULAR U.S. MAIL & CERTIFIED U.S. MAIL

RE: Leon Lawrence vs. City of Atlanta Police Department et al.
Ante Litem Notice

To Whom It May Concern:

My firm has been retained to represent Leon Lawrence in regards to the above referenced matter.

On or about September 19, 2000, Officers of the City of Atlanta Police Department, without imminent fear of life or permanent injury to officers, or to others, and without immediate danger of any type, struck and assaulted Mr. Leon Lawrence with their patrol vehicle. After being hit by the police vehicle, Mr. Lawrence was then physically assaulted and arrested. As a result of this incident, Mr. Lawrence received a laceration on his head requiring nine stitches among other numerous injuries.

Ante Litem Notice
December 8, 2000
Page 2

This letter constitutes a request pursuant to O.C.G.A. §33-3-28, for information regarding any policies of insurance which you believe provides or may provide coverage to the City of Atlanta Police Department as well as the individual officers in their professional and individual capacities for the claims of the above listed victims. In this connection, please provide the following information regarding any such insurance policies:

- (a) The name, address and telephone number of the insurer;
- (b) The number of the policy;
- (c) The name and address of each named insured;
- (d) The limits of all applicable coverage, including primary and excess/umbrella the amount (s) of any self-insured retention; and
- (e) The name, address and telephone number of any third person or entity responsible for administering coverage and/or any self insured retention.

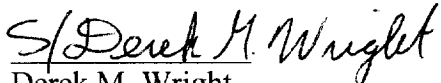
In lieu of this information, you may simply provide a copy of the policy, including the Declarations Page. Please provide this information within ten (10) days of your receipt of this notice. Additionally, this letter constitutes formal notice that the following things constitute evidence relevant to above described claims against you and should not be altered or disposed of in any way:

- 1. Documents generated by the City of Atlanta Police Department in regards to Complaint # 002631785 and the arrest of Mr. Lawrence on September 19, 2000. Documents generated by any internal affairs investigation of these officers and this incident.
- 2. Any audio or videotapes that were recorded the 911 dispatch call or other conversations between law enforcement agents which occurred either before, during or after the subject incident.

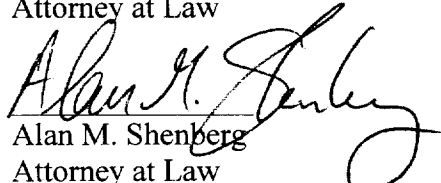
Finally, this letter serves as an ante litem notice that the above listed individuals intend to file suit against City of Atlanta Police Department and others on or before December 31, 2000. In regards to settlement of the above listed claims, I have been authorized to accept an aggregate settlement in the amount of \$450,000 to settle the claims of my clients. If you seek to adjust these claims and discuss a resolution, please do hesitate to contact my office. If you have any questions or concerns, please contact me at the above listed telephone number and address.

Ante Litem Notice
December 8, 2000
Page 3

Sincerely,


Derek M. Wright

Attorney at Law


Alan M. Shenberg

Attorney at Law

01-R-0563

President Pro Tem Bond Presided

RCS# 2838
5/07/01
4:44 PM

Atlanta City Council

Regular Session

CONSENT

PAGES 1 THRU 13

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0610

CONSENT

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 00-O-0264
2. 01-O-0603
3. 01-O-0604
4. 01-O-0612
5. 01-O-0529
6. 01-O-0608
7. 01-O-0623
8. 01-O-0624
9. 01-O-0593
10. 01-O-0482
11. 01-O-0548
12. 00-O-2056
13. 01-R-0575
14. 01-R-0576
15. 01-R-0577
16. 01-R-0578
17. 01-R-0579
18. 01-R-0580
19. 01-R-0648
20. 01-R-0581
21. 01-R-0574
22. 01-R-0594
23. 01-R-0595
24. 01-R-0617
25. 01-R-0491
26. 01-R-0571
27. 01-R-0572
28. 01-R-0602
29. 01-R-0565
30. 01-R-0644
31. 01-R-0552
32. 01-R-0553
33. 01-R-0554
34. 01-R-0555
35. 01-R-0556

**ITEMS ADVERSED
ON CONSENT AGENDA**

36. 01-R-0557
 37. 01-R-0558
 38. 01-R-0559
 39. 01-R-0560
 40. 01-R-0561
 41. 01-R-0562
 42. 01-R-0563
 43. 01-R-0564
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